

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

MELISSA TURNEY, ROSS E. TURNEY,)	C.A. No. 07-cv-00648-JJF
her husband and TREVOR SHIVELY, her)	
minor son, by MELISSA TURNEY, as)	
parent and legal guardian,)	
)	
<i>Plaintiffs,</i>)	
vs.)	
)	
ARTHUR GLOVER, and WENGER)	
TRUCK LINE, INC., a foreign corporation)	
)	
<i>Defendants.</i>)	

**NOTICE UNDER 10 DEL.C. §3112 UNDER DELAWARE LONG ARM STATUTE
TO DEFENDANT, ARTHUR GLOVER**

TO: Arthur Glover
2111 Van Wie Avenue
Rockford, IL 61103

PLEASE TAKE NOTICE that the original of the enclosed Complaint was filed upon the Secretary of State of Delaware pursuant to 10 Del. C. Section 3112.

Service on the Secretary pursuant to 10 Del. C. Section 3112 is as effectual to all intents and purposes as if it had been made upon you personally within the State of Delaware.

/s/ David P. Cline
David P. Cline, Esq. (#2681)
1300 North Market Street
Suite 700
Wilmington, DE 19801
302-529-7848
Attorney for Plaintiffs

Date: 01/09/08

Letter to Defendant, Arthur Glover,
for long arm service of process as
prescribed by 10 Del.C. §3112

David P. Cline

davidcline@mylawman.com

Attorney-at-Law

Let Mylawman become Yourlawman.™

LICENSED TO PRACTICE IN
DE MD NJ NY & PA

FAX 302 654-0884

715 N. KING ST., 1ST FLOOR
PO BOX 33
WILMINGTON DE 19899-0033
302 529 - 7848
302 LAW-SUIT

PHILADELPHIA, PA 19103
MEDIA, PA 19063
MT LAUREL, NJ 08054

PLEASE NOTE NEW ADDRESS ABOVE; P.O. BOX REMAINS SAME

January 9, 2008

Arthur Glover
2111 Van Wie Avenue
Rockford, IL 61103

VIA REGISTERED MAIL/RETURN RECEIPT REQUESTED & REGULAR MAIL

Re: Melissa Turney, et al. vs. Arthur Glover, et al.
Case No.: 07-cv-00648-JJF

Dear Mr. Glover:

Please take notice that the enclosed process and complaint have been served upon the Secretary of State as prescribed by Section 3112 of Title 10 of the Delaware Code of 1953. This service upon the Secretary of State is made as if that service had been made upon you personally. Enclosed please find a copy of the Service of Process and the Complaint. Please note that you have 20 days from the date of service of this letter to file an answer to this complaint or a default judgment will be entered against you. A copy of that answer must be served upon me.

Please turn this matter over to the auto insurance company that was in effect on the date of this accident. If you do not have insurance that will cover you for this accident please contact me at the above. Thank you.

Very truly yours,

/s/ David P. Cline
(signed electronically)

David P. Cline

Enclosure
DPC/AS/a

Return of Service from Brandywine
Process Servers served on the
Secretary of State for long arm
service of process as prescribed by 10
Del.C. §3112

UNITED STATES DISTRICT COURT

District of Delaware

Melissa L. Turney, Ross E. Turney, her husband and
 Trevor Shively, her minor son, by Melissa Turney as
 parent and Legal Guardian

V.

SUMMONS IN A CIVIL CASE

CASE NUMBER: 07-cv-00648-JJF

Arthur Glover and Wenger Truck Line, Inc., a foreign
 corporation

TO: (Name and address of Defendant)

Arthur Glover
 2111 Van Wie Avenue
 Rockford, IL 61103

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

David P. Cline, Esquire
 715 North King Street, Suite 100
 P.O. Box 33
 Wilmington, DE 19899-0033

an answer to the complaint which is served on you with this summons, within Twenty (20) days after service
 of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you
 for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the
 Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

CLERK

(By) DEPUTY CLERK

DATE

12/13/07

RETURN OF SERVICE

Service of the Summons and complaint was made by me(I)	DATE 12/14/07
NAME OF SERVER (PPJNT) GRANVILLE MORRIS	TITLE SPECIAL PROCESS SERVER

Check one box below to indicate appropriate method of service

- Served personally upon the defendant. Place where served: _____
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____
- Returned unexecuted: _____
- Other (specify): SERVED: ARTHUR GLOVER C/O THE DELAWARE SECRETARY OF STATE TOWNSEND BLDG. DOVER, DE COPIES THEREOF WERE ACCEPTED BY KAREN CHARBENEAU _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 12/14/07

Date

Signature of Server

BRANDYWINE PROCESS SERVERS, LTD.
P.O. BOX 1360
WILMINGTON, DE 19899-1360
302- 475-2600

Original Complaint Filed on
October 18, 2007

CIVIL COVER SHEET

JS 44 (Rev. 11/04)

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS Melissa L. Turney, Ross E. Turney, her husband and Trevor Shively, her minor son, by Melissa Turney as Parent and Legal Guardian (b) County of Residence of First Listed Plaintiff <small>(EXCEPT IN U.S. PLAINTIFF CASES)</small>		DEFENDANTS Arthur Glover and Wenger Truck Line, Inc., A Foreign Corporation County of Residence of First Listed Defendant <small>(IN U.S. PLAINTIFF CASES ONLY)</small> NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.	
(c) Attorney's (Firm Name, Address, and Telephone Number) Steven J. Stirparo, Esq. 3622 Silverside Road, Wilm, DE 19810 302-479-9555		Attorneys (If Known) Steven P. Casarino, Esq. and Sarah C Brannan, Esq., 800 N. King Street, #200 Wilm, DE 19801 302-594-4500	
II. BASIS OF JURISDICTION <small>(Place an "X" in One Box Only)</small>		III. CITIZENSHIP OF PRINCIPAL PARTIES <small>(Place an "X" in One Box for Plaintiff and One Box for Defendant)</small>	
<input type="checkbox"/> 1 U.S. Government Plaintiff	<input type="checkbox"/> 3 Federal Question <small>(U.S. Government Not a Party)</small>	Citizen of This State <input type="checkbox"/> PTF <input type="checkbox"/> DEF <input type="checkbox"/> 1 <input type="checkbox"/> 1 Incorporated or Principal Place of Business In This State	<input type="checkbox"/> PTF <input type="checkbox"/> DEF <input type="checkbox"/> 4 <input type="checkbox"/> 4
<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity <small>(Indicate Citizenship of Parties in Item III)</small>	Citizen of Another State <input type="checkbox"/> PTF <input type="checkbox"/> DEF <input type="checkbox"/> 2 <input type="checkbox"/> 2 Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5
		Citizen or Subject of a Foreign Country <input type="checkbox"/> PTF <input type="checkbox"/> DEF <input type="checkbox"/> 3 <input type="checkbox"/> 3 Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6
IV. NATURE OF SUIT <small>(Place an "X" in One Box Only)</small>			
CONTRACT		TORTS	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Ex. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise		PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input checked="" type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	
REAL PROPERTY		PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	
CIVIL RIGHTS		PRISONER PETITIONS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	
V. ORIGIN <small>(Place an "X" in One Box Only)</small>		<input type="checkbox"/> 1 Original Proceeding <input checked="" type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from another district (specify) <input type="checkbox"/> 6 Multidistrict Litigation <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment	
VI. CAUSE OF ACTION		Cite the U.S. Civil Statute under which you are filing <small>(Do not cite jurisdictional statutes unless diversity)</small> 28 U.S.C. 1441 Brief description of cause: Notice of Removal of personal injury action with diversity of citizenship	
VII. REQUESTED IN COMPLAINT:		<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23	DEMAND \$ <small>CHECK YES only if demanded in complaint:</small> JURY DEMAND: <input type="checkbox"/> Yes <input type="checkbox"/> No
VIII. RELATED CASE(S) IF ANY		<small>(See instructions):</small> JUDGE DOCKET NUMBER <small>SIGNATURE OF ATTORNEY OF RECORD</small> <i>[Signature]</i> DE Bar I.D.	
DATE			

DATE

SIGNATURE OF ATTORNEY OF RECORD

Franklin Street DE Barr I.D.
#4685

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MELISSA L. TURNY,
ROSS E. TURNY, her husband
and TREVOR SHIVELY, her minor
son, by Melissa Turney as Parent
and Legal Guardian, :
Plaintiffs, :
Dist. Ct. No. _____
CIVIL ACTION NO.: 07C-08-035 JTV
v. :
NOTICE OF REMOVAL
ARTHUR GLOVER, and
WENGER TRUCK LINE, INC.,
a Foreign Corporation :
Defendants. :

NOTICE OF REMOVAL

Arthur Glover and Wenger Truck Line, Inc., defendants in the above entitled action,
respectfully state as follows:

1. On August 22, 2007, a civil action was commenced against the defendants in the Superior Court of the State of Delaware in and for Kent County entitled Melissa L. Turney, Ross E. Turney, her husband and Trevor Shively, her minor son, by Melissa Turney as Parent and Legal Guardian v. Arthur Glover, and Wenger Truck Line, Inc., a Foreign Corporation; Civil Action No. 07C-08-035 JTV. Plaintiff has certified that damages exceed \$100,000 and, therefore, filed the complaint as a non-arbitration case. Copies of all pleadings and process filed against defendants in this action are attached hereto.

2. The aforementioned case is a personal injury action that arose from an alleged August 25, 2005 motor vehicle accident.

3. On September 27, 2007 Defendant Wenger Truck Line, Inc., received copies of the summons, praecipe and complaint.

4. Plaintiffs are allegedly residents of the State of Delaware who reside at 30
Vineyard Lane, Felton, Delaware 19943.

5. At the time the action was commenced, Defendant Wegner Truck Lines, Inc., is
a foreign corporation existing under the laws of the state of Iowa with its principal place of
business located at 1011 Floral Lane, Davenport, Iowa 52802.

6. At the time the action was commenced, Defendant Arthur Glover is a resident of
the State of Illinois who resides at Van Wie Avenue, Rockford, Illinois 61103.

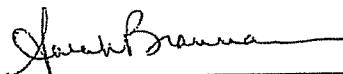
7. This Court has original jurisdiction of this action on the basis of diversity of
citizenship, under 28 U.S.C. §1332, and removal jurisdiction under 28 U.S.C. §1441(a).

8. The petitioners will give written notice of the filing of this petition to the plaintiffs
as required by 28 U.S.C. §1446(d).

9. A copy of this notice will be filed with the Prothonotary for Kent County Superior
Court as required by 28 U.S.C. §1446(d).

WHEREFORE, Defendants request that the action filed in Kent County Superior Court
be removed to and proceed forward in the United States District Court for the District of
Delaware.

CASARINO, CHRISTMAN & SHALK, P.A.



Stephen P. Casarino, Esq.

Del. Bar ID No. 174

Sarah C. Brannan, Esq.

Del. Bar ID No. 4685

800 N. King Street, Suite 200

P.O. Box 1276

Wilmington, DE 19899

(302) 594-4500

Atorneys for Defendants

From: unknown Page: 6/20 Date: 9/28/2007 10:27:57 AM

EFiled: Aug 22 2007 11:04 AM EDT
 Transaction ID 16053691
 Case No. 07C-08-035 JTV



IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR KENT COUNTY

MELISSA L. TURNEY,)	
ROSS E. TURNEY, her husband)	
and TREVOR SHIVELY, her minor)	
son, by Melissa Turney as)	
Parent and Legal Guardian,)	
Plaintiffs,	)	C.A. NO.: 07C-08-035 JTV
v.)	
ARTHUR GLOVER, and	)	NON-ARBITRATION CASE
WENGER TRUCK LINE, INC.,	)	JURY TRIAL DEMANDED
a Foreign Corporation,)	
Defendants.)	

PRAECIPE

TO: PROTHONOTARY
 KENT COUNTY COURTHOUSE
 DOVER, DE 19901

PLEASE DOCKET the above-captioned case and issue summons to the Sheriff of KENT County for service of the summons, together with a copy of the Complaint, Form 30 Interrogatory Answers, and Rule 3(a)(1) Response, as follows:

1. Upon the defendant Arthur Glover, a nonresident, by delivering copies of the aforementioned documents to defendant's agent for service of process, the Secretary of State of the State of Delaware located at 401 Federal Street, Townsend Building, Suite 3, Dover, DE 19901 pursuant to 10 Del.C. § 3112. On information and belief, defendant Arthur Glover's address is 2111 Van Wie Avenue, Rockford, IL 61103.

2. Upon defendant Wenger Truck Line, Inc., a Foreign Corporation, by delivering copies of the aforementioned documents to defendant's agent for service of process, the Secretary of State of the State of Delaware located at 401 Federal Street, Townsend Building, Suite 3, Dover, DE 19901 pursuant to 10 Del.C. § 3112. On information and belief, defendant's principal place of business is located at 1011 Floral Lane, Davenport, IA 52802.

From: unknown Page: 7/20 Date: 9/28/2007 10:27:57 AM

Enclosed please find checks for \$35.00 payable to the Sheriff of KENT County and \$12.00 payable to the Secretary of State for service of process. 4.00

/s/ Steven J. Stirparo

STEVEN J. STIRPARO
3622 Silverside Road
Wilmington, DE 19810
Bar No. 2293
302/479-9555

Attorney for Plaintiffs

DATED: August 21, 2007

From: unknown Page: 8/20 Date: 9/28/2007 10:27:58 AM

EFiled: Aug 22 2007 11:04 AM
 Transaction ID 16053691
 Case No. 07C-08-035 JTV



IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR KENT COUNTY

MELISSA L. TURNERY,)	
ROSS E. TURNERY, her husband)	
and TREVOR SHIVELY, her minor)	
son, by Melissa Turnery as)	
Parent and Legal Guardian,)	
Plaintiffs,	)	C.A. NO.: 07C-08-035 JTV
v.)	
ARTHUR GLOVER, and	)	NON-ARBITRATION CASE
WENGER TRUCK LINE, INC.,	)	JURY TRIAL DEMANDED
a Foreign Corporation,)	
Defendants.)	

SUMMONS

THE STATE OF DELAWARE,
 TO THE SHERIFF OF KENT COUNTY:
 YOU ARE COMMANDED:

To summon the above named defendant, so that, within 20 days after service hereof upon defendant, exclusive of the day of service, defendant shall serve upon STEVEN J. STIRFARO, ESQUIRE, plaintiff's attorney, whose address is 3622 Silverside Road, Wilmington, Delaware 19810, an answer to the complaint (and, if an affidavit of demand has been filed, an affidavit of defense).

To serve upon defendant a copy hereof and of the complaint (and of the affidavit of demand if any has been filed by plaintiffs).
 Dated:

SHARON D. AGNEW
 Prothonotary

Per Deputy

TO THE ABOVE NAMED DEFENDANT:

In case of your failure, within 20 days after service hereof upon you, exclusive of the day of service, to serve on plaintiff's attorney named above an answer to the complaint (and, if an affidavit of demand has been filed, an affidavit of defense), judgment by default will be rendered against you for the relief demanded in the complaint (or in the affidavit of demand, if any).

SHARON D. AGNEW
 Prothonotary

Per Deputy

From: unknown Page: 9/20 Date: 9/28/2007 10:27:58 AM

EFiled: Aug 22 2007 11:04AM EDT
 Transaction ID 16053691
 Case No. 07C-08-035 JTV

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR KENT COUNTY

MELISSA L. TURNERY,)	
ROSS E. TURNERY, her husband)	
and TREVOR SHIVELY, her minor)	
son, by Melissa Turney as)	
Parent and Legal Guardian,)	
Plaintiffs,	)	C.A. NO.: 07C-08-035 JTV
v.)	
ARTHUR GLOVER, and	)	NON-ARBITRATION CASE
WENGER TRUCK LINE, INC.,	)	JURY TRIAL DEMANDED
a Foreign Corporation,)	
Defendants.)	

SUMMONS

THE STATE OF DELAWARE,
 TO THE SHERIFF OF KENT COUNTY:
 YOU ARE COMMANDED:

To summon the above named defendant, so that, within 20 days after service hereof upon defendant, exclusive of the day of service, defendant shall serve upon STEVEN J. STIRFARO, ESQUIRE, plaintiff's attorney, whose address is 3622 Silverside Road, Wilmington, Delaware 19810, an answer to the complaint (and, if an affidavit of demand has been filed, an affidavit of defense).

To serve upon defendant a copy hereof and of the complaint (and of the affidavit of demand if any has been filed by plaintiffs).
 Dated:

SHARON D. AGNEW
 Prothonotary

Per Deputy

TO THE ABOVE NAMED DEFENDANT:

In case of your failure, within 20 days after service hereof upon you, exclusive of the day of service, to serve on plaintiff's attorney named above an answer to the complaint (and, if an affidavit of demand has been filed, an affidavit of defense), judgment by default will be rendered against you for the relief demanded in the complaint (or in the affidavit of demand, if any).

SHARON D. AGNEW
 Prothonotary

Per Deputy

From: unknown Page: 2/20 Date: 9/28/2007 10:27:56 AM

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR KENT COUNTY

MELISSA L. TURNEY,)	
ROSS E. TURNEY, her husband)	
and TREVOR SHIVELY, her minor)	
son, by Melissa Turney as)	
Parent and Legal Guardian,)	
Plaintiffs,		C.A. NO.: 07C-08-035 JTV
v.)	
ARTHUR GLOVER, and	)	NON-ARBITRATION CASE
WENGER TRUCK LINE, INC.,	)	JURY TRIAL DEMANDED
a Foreign Corporation;)	
Defendants.		

NOTICE

TO: Wenger Truck Line, Inc. BY: REGISTERED MAIL
1011 Floral Lane RETURN RECEIPT REQUESTED
Davenport, IA 58202

PLEASE TAKE NOTICE that the originals of the enclosed Complaint and Summons, Form 30 Interrogatory Answers, and Production Response, were served upon the Secretary of State for the State of Delaware, on the 31st day of August, A.D. 2007, pursuant to 10 Del.C. §3112.

Service upon the Secretary of State pursuant to 10 Del.C. §3112 is as effectual for all intents and purposes as if it had been made upon you personally within the State of Delaware.


STEVEN J. SHEPPARD
3622. Silverside Road
Wilmington, DE 19810
Bar No. 2293
302/479-9555
Attorney for Plaintiffs

DATE: September 18, 2007

From: unknown Page: 5/20 Date: 9/28/2007 10:27:57 AM

EFiled: Aug 22 2007 11:04:12 PM
Transaction ID 16053691
Case No. 07C-08-035 JTV

SUPERIOR COURT CIVIL CASE INFORMATION STATEMENT (CIS)
COUNTY: N K S
CIVIL CASE CODE: CPLA
CIVIL ACTION NUMBER: 07C-08-035 JTV
CIVIL CASE TYPE: Personal Injury Auto
(SEE REVERSE SIDE FOR CODE AND TYPE)

<p>CAPTION: MELISSA L. TURNERY, ROSS E. TURNERY, her husband, and TREVOR SHIVELY, her minor son, by Melissa L. Turnery as Parent and/or Legal Guardian,</p> <p>Plaintiffs,</p> <p>v.</p> <p>ARTHUR GLOVER, and WENGER TRUCK LINE, INC., A Foreign Corporation,</p> <p>Defendants.</p>	<p>NAME AND STATUS OF PARTY FILING DOCUMENT: See Caption, Plaintiffs</p> <p>DOCUMENT TYPE: (e.g. COMPLAINT; ANSWER WITH COUNTERCLAIM) <u>Complaint</u></p> <p>Non-Arbitration <input checked="" type="checkbox"/> E-FILE <input checked="" type="checkbox"/> (CERTIFICATE OF VALUE MAY BE REQUIRED)</p> <p>Arbitration <input checked="" type="checkbox"/> Mediation <input type="checkbox"/> Neutral Assessment <input type="checkbox"/> JURY DEMAND <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>TRACK ASSIGNMENT REQUESTED: (CIRCLE ONE) EXPEDITED <input type="checkbox"/> STANDARD <input checked="" type="checkbox"/> COMPLEX</p>
<p>ATTORNEY NAME(S): Steven J. Stirparo</p>	<p>IDENTIFY ANY RELATED CASES NOW PENDING IN THE SUPERIOR COURT BY CAPTION AND CIVIL ACTION NUMBER. INCLUDING JUDGE'S INITIALS</p>
<p>FIRM NAME: Steven J. Stirparo Attorney at Law</p>	
<p>ADDRESS: Steven J. Stirparo Attorney at Law 3622 Silverside Road Wilmington, Delaware 19810</p>	<p>EXPLAIN THE RELATIONSHIP(S):</p>
<p>TELEPHONE NUMBER: 302-479-9555</p>	
<p>FAX NUMBER: 302-427-9559</p>	
<p>E-MAIL ADDRESS:</p>	<p>OTHER UNUSUAL ISSUES THAT AFFECT CASE MANAGEMENT:</p>
<p>(IF ADDITIONAL SPACE IS NEEDED, PLEASE ATTACH PAGES).</p>	

THE PROTHONOTARY WILL NOT PROCESS THE COMPLAINT, ANSWER OR FIRST RESPONSIVE
PLEADING IN THIS MATTER FOR SERVICE UNTIL THE CASE INFORMATION STATEMENT (CIS) IS
FILED. THE FAILURE TO FILE THE CIS AND TO HAVE THE PLEADING PROCESSED FOR SERVICE
MAY RESULT IN THE DISMISSAL OF THE COMPLAINT OR MAY RESULT IN THE ANSWER OR
FIRST RESPONSIVE PLEADING BEING STRICKEN.

From: unknown Page: 10/20 Date: 9/28/2007 10:27:58 AM

EFiled: Aug 22 2007 11:04:11 EDT
Transaction ID 16053691
Case No. 07C-08-035 JTV



IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR KENT COUNTY

MELISSA L. TURNERY,)	
ROSS E. TURNERY, her husband)	
and TREVOR SHIVELY, her minor)	
son, by Melissa Turney as)	
Parent and Legal Guardian,)	
Plaintiffs,	)	C.A. NO.: 07C-08-035 JTV
v.)	
ARTHUR GLOVER, and	)	NON-ARBITRATION CASE
WENGER TRUCK LINE, INC.,	)	JURY TRIAL DEMANDED
a Foreign Corporation,)	
Defendants.)	

COMPLAINT

1. Plaintiffs are individual residents of the State of Delaware residing at 30 Vineyard Lane, Felton, Delaware 19943.

2. Upon information and belief, defendant Arthur Glover is an individual resident of the State of Iowa residing at 2111 Van Wie Avenue, Rockford, Illinois 61103.

3. Upon information and belief, defendant Wenger Truck Lines, Inc. is a foreign corporation with its principal place of business located at 1011 Floral Lane, Davenport, Iowa 52802.

4. At all times pertinent hereto, defendant Arthur Glover was acting within the course and scope of his employment with defendant Wenger Truck Lines, Inc. Therefore, defendant Wenger Truck Line, Inc. is responsible for the reckless, wanton and/or negligent actions and/or inactions of defendant Arthur

From: unknown Page: 11/20 Date: 8/28/2007 10:27:59 AM

COUNT I

5. On August 25, 2005 at approximately 12:33 p.m., plaintiff Melissa L. Turney was operating a vehicle owned by plaintiff Ross E. Turney, travelling in a southerly direction on Dupont Highway, in New Castle County, and stopped at a red light.

6. At the same time, a 2001 International Freightliner being operated by defendant Arthur Glover and owned by defendant Wenger Truck Line, Inc., was also travelling in a southerly direction on Dupont Highway.

7. Suddenly and without warning, the vehicle operated by defendant Arthur Glover and owned by defendant Wenger Truck Line, Inc. struck the rear of the vehicle that was operated by plaintiff Melissa L. Turney.

8. Immediately following impact, plaintiff Melissa L. Turney put her vehicle in park, turned on her hazard lights and called 911 to notify the police.

9. At or about the same time, the traffic light turned green and the vehicle operated by defendant Arthur Glover and owned by defendant Wenger Truck Line, Inc. again struck the rear of the vehicle being operated by plaintiff Melissa Turney and pushed plaintiff's vehicle forward a distance even though plaintiff's vehicle was in park at the time.

10. The aforesaid collision and plaintiff Melissa L. Turney's resulting injuries and damages were proximately caused by the recklessness, wantonness and/or negligence of defendant Arthur Glover in that he:

From: unknown Page: 12/20 Date: 9/28/2007 10:27:59 AM

a. Operated his vehicle on a highway at a speed greater than was reasonable and prudent under the conditions and without having regard to the actual and potential hazards then existing, in violation of 21 Del. C. § 4168(b);

b. Operated his vehicle in a wanton and/or reckless disregard for the safety of persons or property, in violation of 21 Del. C. § 4175(a);

c. Operated his vehicle in such a manner as to cause wanton or reckless damage to or destruction of property owned by another person, party, company or corporation, in violation of 21 Del. C. § 4172(a);

d. Operated his vehicle in such a manner as to cause wanton or reckless damage to or destruction of property owned by another person, party, company or corporation, or so as to cause or threaten to cause injury or death to any person, in violation of 21 Del. C. § 4172(b);

e. failed to maintain a proper lookout while operating the vehicle he was driving, in violation of 21 Del. C. § 4176(b);

f. failed to give full time and attention to the operation of the vehicle he was driving, in violation of 21 Del. C. § 4176(b);

g. operated the vehicle he was driving in a careless and imprudent manner, without due regard for traffic conditions then existing, in violation of 21 Del. C. § 4176(a);

h. failed to exercise and maintain proper control

From: unknown Page: 13/20 Date: 9/28/2007 10:27:59 AM

over the vehicle he was driving;

i. failed to give full time and attention to the operation of his motor vehicle in violation of 21 Del.C. §4176(b); and

j. violated the common-law duty of lookout.

11. As a direct and proximate result of the aforementioned recklessness, wantonness and/or negligence of defendant Arthur Glover, plaintiff Melissa L. Turney suffered severe bodily injuries including, but not limited to, injuries to her head, neck, back and right leg. Some or all of her injuries have continued since the collision and are permanent in nature.

12. As a further consequence of the aforementioned recklessness, wantonness and/or negligence of defendant Arthur Glover, plaintiff Melissa L. Turney has incurred and will continue to incur in the future, medical and related expenses for her care and treatment.

13. As a further consequence of the aforementioned recklessness, wantonness and/or negligence of defendant Arthur Glover, plaintiff Melissa L. Turney has incurred in the past and will incur in the future, pain, suffering, discomfort and mental anguish.

14. As a direct and proximate result of the aforementioned recklessness, wantonness and/or negligence of defendant Arthur Glover, plaintiff Melissa L. Turney has sustained in the past and may sustain in the future a loss of earnings and/or earning capacity.

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15. As a further direct and proximate result of the recklessness, wantonness and/or negligence of defendant Arthur Glover, plaintiff Ross E. Turney suffered the loss of consortium and companionship of his wife, Melissa L. Turney, as a result of her injuries.

COUNT II

16. Plaintiff hereby incorporates paragraphs 1 through 15 as if fully set forth herein.

17. As a direct and proximate result of the aforementioned recklessness, wantonness and/or negligence of defendant Arthur Glover, plaintiff Trevor Shively suffered bodily injuries and emotional distress. Some or all of his injuries have continued since the collision and are permanent in nature.

18. As a further consequence of the aforementioned recklessness, wantonness and/or negligence of defendant Arthur Glover, plaintiff Trevor Shively has incurred in the past and will incur in the future, pain, suffering, discomfort and mental anguish.

WHEREFORE, plaintiffs demand judgment against defendants, jointly and severally, for their special and general damages, including pain and suffering, punitive damages, attorney fees, pre and post judgment interest, the costs of this action and other such relief as the Court finds just.

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/s/ Steven J. Stirparo
STEVEN J. STIRPARO
3622 Silverside Road
Wilmington, DE 19810
Bar No. 2293
302/479-9555
Attorney for Plaintiffs

DATED: August 21, 2007

From: unknown Page: 16/20 Date: 9/28/2007 10:28:00 AM

EFiled: Aug 22 2007 11:04 AM EDT
Transaction ID 16053691
Case No. 07C-08-035 JTV

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE



IN AND FOR KENT COUNTY

MELISSA L. TURNERY,)
ROSS E. TURNERY, her husband)
and TREVOR SHIVELY, her minor)
son, by Melissa Turney as)
Parent and Legal Guardian,)
Plaintiffs,) C.A. NO.: 07C-08-035 JTV
v.)
ARTHUR GLOVER, and) NON-ARBITRATION CASE
WENGER TRUCK LINE, INC.,) JURY TRIAL DEMANDED
a Foreign Corporation,)
Defendants.)

CERTIFICATION OF VALUE

I, Steven J. Stirparo, Esquire, attorney for plaintiffs, hereby certify in good faith at this time in my opinion that the sum of damages of plaintiffs is in excess of \$100,000.00, exclusive of costs and interest.

/s/ Steven J. Stirparo
STEVEN J. STIRPARO
3622 Silverside Road
Wilmington, DE 19810
Bar No. 2293
(302) 479-9555
Attorney for Plaintiffs

Dated: August 21, 2007

From: unknown Page: 17/20 Date: 9/28/2007 10:28:01 AM

EFiled: Aug 22 2007 11:04 AM
Transaction ID 16053691
Case No. 07C-08-035 JTV

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR KENT COUNTY

MELISSA L. TURNERY,)	
ROSS E. TURNERY, her husband)	
and TREVOR SHIVELY, her minor)	
son, by Melissa Turney as)	
Parent and Legal Guardian,)	
Plaintiffs,	)	C.A. NO.: 07C-08-035 JTV
v.)	
ARTHUR GLOVER, and	)	NON-ARBITRATION CASE
WENGER TRUCK LINE, INC.,	)	JURY TRIAL DEMANDED
a Foreign Corporation,)	
Defendants.)	

PLAINTIFFS' FORM 30 INTERROGATORY ANSWERS

1. Give the name and present or last known residential and employment address and telephone number of each eyewitness to the incident which is the subject of the litigation.

ANSWER. Plaintiffs Melissa L. Turney and Trevor Shively, 30 Vineyard Lane, Felton, Delaware 19943, 302-284-0274; and defendant Arthur Glover, 2111 Van Wie Avenue, Rockford, IL 61103.

2. Give the name and present or last known residential and employment address and telephone number of each person who has knowledge of the facts relating to the litigation.

ANSWER. In addition to the parties listed in the answer above, other persons with knowledge of the facts include; their counsel; representatives of Wenger Truck Line Inc., plaintiff's family, friends, physicians, attorneys, the investigating officer and 911 telephone operator.

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3. Give the names of all persons who have been interviewed in connection with the above litigation, including the names and present or last known residential and employment addresses and telephone numbers of the persons who have original and copies of the interview.

ANSWER. None to plaintiffs' present recollection.

4. Identify all photographs, diagrams or other representations made in connection with the matter in litigation, giving the names and present or last known residential and employment addresses and telephone number of the person having the original and copies thereof.

ANSWER. See police report. In further response, plaintiffs' counsel is in possession of photographs of the accident scene and property damage, and copy of the 911 tape.

5. Give the name, professional address and telephone number of all expert witnesses presently retained by the party together with the dates of any written opinions prepared by said expert. If an expert is not presently retained, describe by type, the experts whom the party expects to retain in connection with the litigation.

ANSWER. Objection, beyond the scope of Rule 26. Without waiving the objection, plaintiffs expect to retain the appropriate medical, liability, vocational, and economic experts, if necessary.

6. Give a brief description of any insurance policy, including excess coverage, that is or may be applicable to litigation, including:

- a. The name and address of all companies insuring the risk;
- b. The policy numbers;
- c. The type of insurance;
- d. The amounts of primary, secondary and excess coverage.

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coverage.

ANSWER:

A. PIP

- a. State Farm Insurance Company
- b. 08-5142-796
- c. Bodily injury
- d. \$100,000.00 per person/\$300,000.00 per accident

B. BI

- a. National Interstate Insurance
- b. 19471
- c. Liability
- d. unknown.

7. Give the name, professional address and telephone number of all physicians, chiropractors, psychologists, and physical therapists who have examined or treated you at any time during the ten-year period immediately prior to the date of the incident at issue in this litigation.

ANSWER: To be provided upon entry of appearance by counsel for defendants.

/s/ Steven J. Stirparo
STEVEN J. STIRPARO
3622 Silverside Road
Wilmington, DE 19810
Bar No. 2293
302/479-9555
Attorney for Plaintiffs

DATED: August 21, 2007

From: unknown Page: 20/20 Date: 9/28/2007 10:28:01 AM

EFiled: Aug 22 2007 11:04 AM EDT
Transaction ID 16053691
Case No. 07C-08-035 JTV

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR KENT-COUNTY.

MELISSA L. TURNEY,)
ROSS E. TURNEY, her husband)
and TREVOR SHIVELY, her minor)
son, by Melissa Turney as)
Parent and Legal Guardian,)
Plaintiffs,) C.A. NO.: 07C-08-035 JTV
v.)
ARTHUR GLOVER, and) NON-ARBITRATION CASE
WENGER TRUCK LINE, INC.,) JURY TRIAL DEMANDED
a Foreign Corporation,)
Defendants.)

PLAINTIFF'S RESPONSE TO REQUEST FOR
PRODUCTION PURSUANT TO RULE 3(A)(1)(i)

1. Photocopies of existing documentary evidence relating to special damages.

RESPONSE: To the extent that plaintiff seeks to recover for special damages, photocopies of pertinent documents will be provided to the defendants upon request after an answer is filed in this litigation.

2. In any case in which lost wages or salary is claimed, photocopies of pertinent portions of income tax returns of the plaintiffs for the past three years.

RESPONSE: To the extent that plaintiff seeks to recover for past lost wages or salary, photocopies of pertinent portions of their income tax returns for the past three (3) years will be provided to the defendants upon request after an answer is filed in this litigation.

/s/ Steven J. Stirparo
STEVEN J. STIRPARO
3622 Silverside Road
Wilmington, DE 19810
Bar, No. 2293
302/479-9555

DATED: August 21, 2007 Attorney for Plaintiffs

From: unknown Page: 3/20 Date: 9/28/2007 10:27:58 AM



Sheriff's Return

Served the within Summons and copy of the following complaint:

SUMMONS, COMPLAINT, FORM 50 INTERROGATORY ANSWERS, RULES(a)(1) RESPONSE

this day, Friday, August 31, 2007, personally upon HARRIET SMITH WINDSOR, Secretary of State of the State of Delaware, by leaving with her a true and correct copy of the said Summons for the defendant.

ARTHUR GLOVER AND WENGER TRUCK LINE, INC.

and a copy of the Complaint for the said defendant, together with the sum of \$4.00 Dollars, as prescribed by Section 3112 of Title 10 of the Delaware Code of 1978.

No Answers,

Jim Higdon
Sheriff of Kent County

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MELISSA L. TURNY,	:	District Court No. _____
ROSS E. TURNY, her husband	:	
and TREVOR SHIVELY, her minor	:	
son, by Melissa Turney as Parent	:	CIVIL ACTION No.: 07C-08-035 JTV
and Legal Guardian,	:	
Plaintiffs,	:	NOTICE OF REMOVAL
	:	
v.	:	
	:	
ARTHUR GLOVER, and	:	
WENGER TRUCK LINE, INC.,	:	
a Foreign Corporation	:	
Defendants.	:	

CERTIFICATE OF SERVICE

I, Stephen P. Casarino, Esq., hereby certify that I have caused to be served via first class mail/hand delivery at 800 North King Street, Suite 200, Wilmington, DE 19801, on this 16th day of October 2007, a true and correct copy of the attached Notice of Removal to:

Steven J. Stirparo, Esquire
3622 Silverside Road
Wilmington, DE 19810

CASARINO, CHRISTMAN & SHALK, P.A.

Stephen P. Casarino
STEPHEN P. CASARINO, ESQ. #174
SARAH C. BRANNAN, ESQ. #4685
800 N. King Street, Suite 200
Wilmington, DE 19899-1276
(302) 594-4500
Attorneys for the Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MELISSA TURNEY, ROSS E. TURNEY,) C.A. No. 07-cv-00648-JJF
her husband and TREVOR SHIVELY, her)
minor son, by MELISSA TURNEY, as)
parent and legal guardian,)
)
Plaintiffs,)
vs.)
)
ARTHUR GLOVER, and WENGER)
TRUCK LINE, INC., a foreign corporation)
)
Defendants.)

NOTICE OF SERVICE

I, David P. Cline, Esquire, hereby certify that on this 9th day of January, 2008 copies of the **NOTICE UNDER 10 DEL.C. §3112 UNDER DELAWARE LONG ARM STATUTE TO DEFENDANT, ARTHUR GLOVER** were filed electronically with the U.S. District Court and sent by registered and regular mail to:

Arthur Glover
(via registered and regular mail)
2111 Van Wie Avenue
Rockford, IL 61103

Sarah Brannan, Esquire
(via regular mail)
Casarino, Christman, & Shalk
800 North King Street, Suite 200
P.O. Box 1276
Wilmington, DE 19899-1276

DAVID P. CLINE, P.A.

BY: /s/ David P. Cline
DAVID P. CLINE, ESQUIRE (#2681)
1300 Market Street, Suite 700
P.O. Box 1970
Wilmington, DE 19899-1970
(302) 529-7848
Attorney for Plaintiffs

Dated: 01/09/08